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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/960,447	09/21/2001	Paul Geoffrey Clarke	GB920000093US1	5772

7590 06/01/2005

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EXAMINER	
ELMORE, REBA I	

ART UNIT	PAPER NUMBER
2187	

DATE MAILED: 06/01/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/960,447	CLARKE ET AL.	
	Examiner	Art Unit	
	Reba I. Elmore	2187	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *14 April 2005*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-22* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☒ Claim(s) *22* is/are allowed.

6)☒ Claim(s) *1-21* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☒ All b)☐ Some * c)☐ None of:

1.☒ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

1. Claims 1-22 are presented for examination.

SPECIFICATION

2. Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d), which papers have been placed of record in the file.

3. The specification has not been checked to the extent necessary to determine the presence of all possible minor errors. Applicant's cooperation is requested in correcting any errors of which applicant may become aware in the specification.

35 USC § 102

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

5. Claims 1-21 are rejected under 35 U.S.C. 102(b) as being anticipated by Frey et al.

6. Frey teaches the invention (claim 1) as claimed including a method of communicating message data between a plurality of subsystems which are distributed across a data communication network as a SYSPLEX network configuration grouping central processing complexes (e.g., see col. 3, lines 25-61), the method comprising:

coupling the distributed subsystems together through a coupling means with a shared memory as a SYSPLEX configuration which allows one or more Central Processor Complexes (CPCs) to be coupled together for access to shared lists of data including message data (e.g., see Figure 1 and col. 4, lines 47-56);

providing at least one shared queue in the shared memory, the shared queue being shared for getting and putting message data among all of the distributed subsystems as the capability of placing or removing messages on the list as list users which allows the users to add, delete or move list entries to the lists in the list structure, getting message data is the retrieve of an item or message from a set of items or messages and putting message data is the placing of an item or message into a set of items (e.g., see col. 6, lines 1-7);

providing access to the shared queue from each of the coupled subsystems with the shared queue being equivalent to the structured external storage (SES) facility of Figure 1 as all of the CPCs are directly coupled to the SES facility (e.g., see Figure 1 and col. 4, line 47 to col. 5, line 28); and,

communicating the message data between all of the distributed subsystems by means of the shared queue as the SES facility (e.g., see Figure 1 and col. 4, line 47 to col. 5, line 28).

As to claim 2, Frey teaches the plurality of subsystems is a distributed network of resource managers as distributing different tasks across a number of CPCs in the SYSPLEX network configuration (e.g., see col. 5, lines 1-28).

As to claim 3, Frey teaches the plurality of subsystems are all part of a sysplex (e.g., see col. 3, lines 26-61).

As to claim 4, Frey teaches at least one application program is connected to a subsystem, and wherein the subsystem manages the message data for the at least one application program (e.g., see col. 5, line 1 to col. 6, line 56).

As to claim 5, Frey teaches the coupling means is a coupling facility with data structures for at least one shared queue and a database (e.g., see Figure 1 and col. 5, line 1 to col. 6, line 56).

As to claim 6, Frey teaches the database stores queue definitions for at least one shared queue as the list structure which maintains information specifically related to the message data in the shared queue (e.g., see Figures 6-12 and col. 7, line 50 to col. 10, line 34).

As to claim 7, Frey teaches at least one shared queue includes a shared transmission queue (e.g., see col. 5, lines 1-28).

As to claim 8, Frey teaches each subsystem has a long running process to check at least one shared queue for message data for that subsystem as each CPC being able to poll the SES support facility in the SYSPLEX as application programs are executed (e.g., see Figure 1 and col. 4, line 47 to col. 6, line 56).

As to claim 9, Frey teaches the subsystems also have local non-shared queues as local queue environments (e.g., see col. 2, lines 48-56).

As to claim 10, Frey teaches message data is sent from a first subsystem to a second subsystem by the first subsystem putting a message on a shared queue and the second subsystem getting the message from the shared queue as list user using the list entries including adding, deleting or moving a list entry (e.g., see Figure 1 and col. 4, line 47 to col. 6, line 56).

7. Frey teaches the invention (claim 11) as claimed including an apparatus for communicating message data, the apparatus comprising:

a plurality of subsystems distributed across a data communication network as a SYSPLEX network which shares lists and processes different tasks (e.g., see col. 5, lines 1-28);

a coupling means with a shared memory the shared memory having at least one shared queue (e.g., see Figure 1);

means associated with each subsystem for accessing at least one shared queue, the shared queue being shared for getting and putting message data among all of the distributed subsystems

as any or all of the CPUs being capable of executing the same process (e.g., see col. 14, line 48 to col. 18, line 37); and,

the message data is communicated between all of the distributed subsystems by means of the shared queue (e.g., see Figure 1 and col. 5, lines 1-28).

As to claim 12, Frey teaches the plurality of subsystems is a distributed network of resource managers as distributing different tasks across a number of CPCs in the SYSPLEX network configuration (e.g., see col. 5, lines 1-28).

As to claim 13, Frey teaches the plurality of subsystems are all part of a sysplex (e.g., see col. 3, lines 26-61).

As to claim 14, Frey teaches at least one application program is connected to a subsystem and wherein the subsystem manages the message data for at least one application program (e.g., see col. 5, line 1 to col. 6, line 56).

As to claim 15, Frey teaches the coupling means is a coupling facility with data structures for at least one shared queue and a database (e.g., see Figure 1 and col. 5, line 1 to col. 6, line 56).

As to claim 16, Frey teaches the database stores the queue definitions for at least one shared queue as the list structure which maintains information specifically related to the message data in the shared queue (e.g., see Figures 6-12 and col. 7, line 50 to col. 10, line 34).

As to claim 17, Frey teaches at least one shared queue includes a shared transmission queue (e.g., see col. 5, lines 1-28).

As to claim 18, Frey teaches each subsystem has a long running process to check at least one shared queue for message data for that subsystem as each CPC being able to poll the SES

support facility in the SYSPLEX as application programs are executed (e.g., see Figure 1 and col. 4, line 47 to col. 6, line 56).

As to claim 19, Frey teaches the subsystems also have local non-shared queues as local queue environments (e.g., see col. 2, lines 48-56).

8. Frey teaches the invention (claim 20) as claimed including a computer program comprising computer readable program code for performing the following steps:

providing at least one shared queue in a shared queue in a shared memory, the shared queue being shared for getting and putting data among all of a plurality of subsystems as a SYSPLEX configuration which allows one or more Central Processor Complexes (CPCs) to be coupled together for access to shared lists of data including message data (e.g., see Figure 1 and col. 4, lines 47-56);

providing access to the shared queue from each of the plurality of subsystems coupled to the shared memory wherein the subsystems are distributed across a data communication network as the capability of placing or removing messages on the list as list users which allows the users to add, delete or move list entries to the lists in the list structure, getting message data is the retrieve of an item or message from a set of items or messages and putting message data is the placing of an item or message into a set of items (e.g., see col. 6, lines 1-7); and,

communicating the data between all of the distributed subsystems by means of the shared queue as the SES facility (e.g., see Figure 1 and col. 4, line 47 to col. 5, line 28).

9. Frey teaches the invention (claim 21) as claimed including an apparatus for communicating message data within a distributed data communication network, the apparatus including a resource manager for receiving messages from input message queues and forwarding

the messages to destination message queues as a SYSPLEX network configuration grouping central processing complexes (e.g., see col. 3, lines 25-61), the resource manager including:

a coupling facility manager component providing connection services for the resource manager to connect to a coupling facility list structure to perform operations on list structure entries including connect as the SES facility message processor (e.g., see Figure 1);

a message retrieval agent for accessing at least one shared queue in shared memory associated with the coupling facility, the shared queue being shared for getting and putting messages among all the members of the distributed data communications network as the SES facility message processor which has the capability of placing or removing messages on the list as list users which allows the users to add, delete or move list entries to the lists in the list structure, getting message data is the retrieve of an item or message from a set of items or messages and putting message data is the placing of an item or message into a set of items (e.g., see col. 6, lines 1-7); and,

wherein the message retrieval agent enables the resource manager of each member of the distributed data communications network to access the messages directly from the shared queue of a connected coupling facility by way of the message facility of each CPC (e.g., see Figure 1).

ALLOWABLE SUBJECT MATTER

10. Claim 22 reads over the art of record as having limitations in combination with at least one queue manager, a channel initiator, local page sets and log data sets with a shared data repository storing queue definitions for at least one shared queue and being accessible from all queue managers. The shared data repository also has a data repository manager for controlling

connection, disconnection, reads, writes, deletes and update requests to the shared data repository.

RESPONSE TO APPLICANT'S REMARKS

11. Applicant's arguments filed April 14, 2005 have been fully considered but they are not persuasive.

12. As to Frey not teaching the shared queue being shared for getting and putting message data among all of the distributed subsystems, this limitation is taught to the extent required by the actual claim language. Any or all of the CPCs, central processing complexes, are coupled to the SES, structured external storage, to facilitate the queuing of shared data objects or messages. Definitions of get and put operations are provided as supporting evidence that the CPCs are functionally getting and putting message data to/from the shared queue of the SES facility. Any of the CPCs can be designated as list users and the list users use list entry commands to add, delete or move list entries to the lists in the list structure with the list structure being a shared queue. All of the lists are in the same list structure which is the shared queue which means the CPCs identified as list users have access to the shared queue for getting and putting message data to/from the shared queue.

CONCLUSION

13. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Reba I. Elmore, whose telephone number is (571) 272-4192. The examiner can normally be reached on M-TH from 7:30am to 6:00pm, EST.

If attempts to reach the examiner by telephone are unsuccessful, the art unit supervisor for AU 2187, Donald Sparks, can be reached for general questions concerning this application at (571) 272-4201. Additionally, the official fax phone number for the art unit is (703) 746-7239.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Tech Center central telephone number is (571) 272-2100.

Reba I. Elmore
Primary Patent Examiner
Art Unit 2187

May 26, 2005